

AO 91 (Rev. 11/11) Criminal Complaint

Agent:

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UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

J Jesus LARA-MACIAS

Case No. 25-30014

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 21, 2025 in the county of Oakland in the
Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description*

Title 8, United States Code, Section 1326(a),(b)(1)

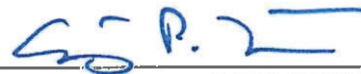
Unlawful Re-entry after Removal from the United States

This criminal complaint is based on these facts:

On or about January 21, 2025, in the Eastern District of Michigan, Southern Division, J Jesus LARA-MACIAS, an alien from Mexico who had previously been convicted of a felony offense and was subsequently denied admission, excluded, deported, and removed from the United States on or about March 25, 2020, at or near El Paso, Texas, was found in the United States not having obtained the express consent of the Attorney General of the United States or the Secretary of Homeland Security to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326 (a), (b)(1).

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: January 23, 2025City and state: Detroit, MI*Complainant's signature*Michael Everson, BPA*Printed name and title**Judge's signature*Anthony P. Patti, U.S. Magistrate Judge*Printed name and title*

AFFIDAVIT

I, Michael Everson, declare the following under penalty of perjury:

1. I am a Border Patrol Agent with the United States Department of Homeland Security, United States Border Patrol. I have been employed in this capacity since December 2011. Currently, I am assigned to the Detroit Border Patrol Station. The facts set forth herein are based upon my personal knowledge as well as information provided by other law enforcement officers to include Border Patrol Agents and record checks of law enforcement databases. I have also reviewed material from the official Immigration file and system automated data relating to J Jesus LARA-MACIAS, which reveals the following:
2. LARA-MACIAS is a thirty-eight-year-old male, native and citizen of Mexico, who last entered the United States at or near an unknown place, on or about an unknown date without being admitted, inspected, or paroled by an Immigration Officer.
3. On or about February 15, 2008, LARA-MACIAS was arrested by Border Patrol Agents near Deming, New Mexico for illegally entering the United States. He was granted a Voluntary Return (VR) back to Mexico the same day.
4. On October 29, 2010, LARA-MACIAS was arrested near Emporia, Kansas by Emporia Police Department for Disorderly Conduct.
5. On or about June 9, 2011, LARA-MACIAS was convicted in the Emporia Municipal Court for Disorderly Conduct, a misdemeanor. He was ordered to pay a fine of \$221.
6. On or about October 6, 2011, LARA-MACIAS was arrested by Border Patrol Agents near Laredo, Texas for illegally entering the United States. He was granted a VR back to Mexico the same day.
7. On March 18, 2012, LARA-MACIAS was arrested by Border Patrol Agents near Laredo, Texas for illegally entering the United States. He was processed for a VR and was presented for prosecution in violation of 8 USC §1325 Unlawful Entry.

8. On March 20, 2012, LARA-MACIAS was convicted for 8 USC §1325(a)(1), Unlawful Entry, and he was sentenced to 10 days' incarceration.
9. On or about March 30, 2012, LARA-MACIAS was granted a VR back to Mexico through Laredo, Texas.
10. On or about October 21, 2012, LARA-MACIAS was arrested by Border Patrol Agents near Mission, Texas. He was processed for Expedited Removal. On or about October 25, 2012, LARA-MACIAS was removed back to Mexico through Calexico, California.
11. On or about June 30, 2019, LARA-MACIAS was arrested by Oakland County Sheriffs for Assault Excluding Sexual (felony).
12. On or about July 11, 2019, LARA-MACIAS was convicted by guilty plea to the reduced charge of Assault and Battery, a misdemeanor. He was sentenced to 11 days in jail.
13. On or about July 15, 2019, LARA-MACIAS was arrested by Immigration Customs Enforcement (ICE) and his prior order of removal was reinstated. On or about July 26, 2019, LARA-MACIAS was removed back to Mexico through Brownsville, Texas.
14. On or about November 15, 2019, LARA-MACIAS was arrested by Border Patrol Agents near Deming, New Mexico. His prior order of removal was reinstated.
15. On March 24, 2020, LARA-MACIAS was convicted for 8 USC §1326(a) and (b), Unlawful Re-Entry Following Removal. He was sentenced to 131 days' incarceration.
16. On or about March 25, 2020, LARA-MACIAS was removed back to Mexico through El Paso, Texas.
17. On January 21, 2025, LARA-MACIAS was encountered by Detroit Border Patrol Agents near Pontiac, Michigan. Investigation had revealed that LARA-MACIAS was again present in the United States. LARA-MACIAS was asked by agents for identifying information that would allow him to be present in the United State. LARA-MACIAS told the agents that he did not possess any documentation that would allow him to legally be present in the

United States. LARA-MACIAS was transported to the Detroit Border Patrol station for processing. His prior order was reinstated.

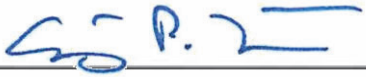
18. J Jesus LARA-MACIAS'S fingerprints and photograph were captured and entered into the Automated Biometric Identification System (IDENT) and the Integrated Automated Fingerprint Identification System (IAFIS). The results revealed that LARA-MACIAS is a citizen of Mexico with the foregoing immigration history who has been previously removed from the United States. The record checks did not provide any evidence that LARA-MACIAS legally entered the United States or had been issued any document or status that would allow him to enter or remain the United States.
19. The aforementioned arrest and subsequent detention was an administrative, non-criminal action made pursuant to the authority found in sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code to arrest and detain any alien entering or attempting to enter the United States, or any alien present in the United States, who is reasonably believed to be in violation of any law or regulation regulating the admission, exclusion, expulsion, or removal of aliens.
20. Review of the Alien File (A# xxx xxx 110) for J Jesus LARA-MACIAS and queries in Department of Homeland Security databases confirm no record exists of LARA-MACIAS obtaining the express permission from the Attorney General or the Secretary of the Department of Homeland Security to re-apply for admission to the United States following his removal on March 25, 2020.
21. Based on the above information, I believe there is probable cause to conclude that J Jesus LARA-MACIAS, is an alien, who had previously been convicted of a felony offense and who was found in the United States after removal, without the express permission from the Attorney General of the United States or from the Secretary of the Department of Homeland Security to re-apply for admission into the United States in violation of Title 8, United States Code,

Section 1326(a), (b)(1).



Michael Everson, Border Patrol Agent
U.S. Department of Homeland Security

Subscribed and sworn to before me in my
presence and/or by reliable electronic means.



Honorable Anthony P. Patti
United States Magistrate Judge

January 23, 2025